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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/684,768	10/06/2000	Jeffrey Wayne McDonald	1335	1633

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EXAMINER

TRUONG, LECHI

ART UNIT PAPER NUMBER

2126

DATE MAILED: 09/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/684,768

Applicant(s)

MCDONALD ET AL.

Examiner

LeChi Truong

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 October 2000.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12, 18-35 and 41-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12, 18-35 and 41-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This action in response to the amendment filed date 6/30/03. Applicant has amended claims 1, 24, cancelled claims 13-17, 30-40.

#### *Claim Rejections - 35 USC § 103*

2. Claims 1-4, 20-27, 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anthias et al (US. Patent 5,511,199 in view Travis et al (US. 5,422,999) and further in view of Kent Watsen (Suporting Dynamic Protocols for Virtual Environments).

As to claim 1, Anthias teaches a first process (a first computer program, col 2, ln 22-39), a first computer (a first computer language, col 2, ln 22-39), a destination (target object, col 3, ln 39-67, col 4, ln 1-11), a second computer (second computer language, col 2, ln 22-39), destination information / message information (a predetermined description of classes, col 2, ln 22-39/ col 3, ln 39-67, col 4, ln 1-11), a message X (object)(a generic send message function/ new object, col 2, ln 22-39/ col 3, ln 39-67, col 4, ln 1-11, the message, col 2, ln 5-15), a message ( a message, col 2, ln 22-39), protocol( a first message protocol/ second message protocol, col

Anthias does not explicit teach an environment variable from ...a transport protocol at runtime, X as object, a pointer to a message, generating a tag .... Storing a tag in an outbound message vector. However, Travis et al teaches different types of services ... one computer to another computer( col 1, ln 15-27), the information object 30, an external reference vector 34/35, stores value that identify the data type of the referenced object( col 3, ln 1-67)/ Fig. 2A, the pointers in the entries 76( col 5, ln 10-67)/ fig.

It would have been obvious to apply the teaching of Travis to Anthias in order to provide a message with may contain large amounts of data generates by other applications processed by

Art Unit: 2126

each computer and to provide a new and improved data transport system for transferring data in digital data processing system.

Anthias does not teach a transport protocol at run-time. However, Watsen teaches install client-specific networking protocols at runtime ( page 1, right col 1, ln 34-50).

It would have been obvious to apply the teaching of Watsen to Anthias in order to provide optimal runtime performance as the protocol can be specialized for the specific needs of that object.

**As to claim 2**, Anthias teaches a second process (a second object oriented program, col 2, ln 21-39).

**As to claim 3**, Anthias teaches a name of the second process(C++, col 4, ln 12-67).

**As to claim 4**, Anthias teaches process to process (a Smalltalk object and C++ object, col 5, ln 26-60/ Fig. 1).

**As to claim 20**, Anthias teaches a unique identifier (data identifying, col 9, ln 65-67, col 10, ln 1-7).

**As to claim 21**, Anthias teaches a rely from the second computer (first program calling ... second computer program).

**As to claim 22**, Anthias teaches registering a service (first program sends a message to a target object, col 2, ln 22-39).

**As to claim 23**, Anthias teaches receiving the message information (sending said message to said target object, col 2, ln 22-39).

**As to a software product of claim 24**, refer to the rejection of claim1. Further, Anthias teaches communication software operational (computer program, col 2, ln 22-39).

Art Unit: 2126

**As to the software product of claim 25**, see the rejection of claim 2.

**As to the software product of claim 26**, see the rejection of claim 3.

**As to the software product of claim 27**, see the rejection of claim 4.

**As to the software product of claim 43**, see the rejection of claim 20.

**As to the software product of claim 44**, see the rejection of claim 21.

**As to the software product of claim 45**, see the rejection of claim 22.

2. Claims 18, 19, 41, 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anthias et al (US. Patent 5,511,199 in view Travis et al (US. 5,422,999) in view of Kent Watsen (Supporting Dynamic Protocols for Virtual Environments) and further in view of Frank William Grilchrist (US. Patent 6,081 832).

**As to claim 18, 19**, Anthias does not teach a checking for error, an error service.

However, Grilchrist teaches the type of error, the Report Indicator class (col 25, ln 37-45).

It would have been obvious to apply the teaching of Grilchrist to Anthias in order to determine whether the message is the report of delivery or an error.

**As to the software product of claim 41**, see the rejection of claim 18.

**As to the software product of claim 42**, see the rejection of claim 19.

3. Claims 5,7, 28,30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anthias et al (US. Patent 5,511,199) in view Travis et al (US. 5,422,999) in view of Kent Watsen (Supporting Dynamic Protocols for Virtual Environments) and further in view of Admit prior Art (APA).

**As to claim 5,7**, Anthias does not teach the pathway. However, APA teaches pathway (Page 3, ln 16-24).

Art Unit: 2126

It would have been obvious to apply the teaching of APA in order make the communication between process and destination more available to use in any systems.

**As to the software product of claim 28**, see the rejection of claim 5.

**As to the software product of claim 30**, see the rejection of claim 7.

4. Claims 6, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anthias et al (US. Patent 5,511,199) in view Travis et al (US. 5,422,999) and further in view of Kent Watsen (Suporting Dynamic Protocols for Virtual Environments) in view of Admit prior Art (APA) and further in view or Microsoft Corporation (MC)(Microsoft Windows for WorkGroups Add-On for Windows.

**As to claim 6**, Anthias does not teach a name of the pathway. However, MC teaches the path contain computer name and the share name, with the format\\computername\sharename (page 27, connection to network printer).

It would have been obvious to apply the teaching of MC to Anthias in order to provide the connection between the computers to a network printer.

**As to the software product of claim 29**, see the rejection of claim 6.

5. Claims 8,9,10,11,12,31,32, 33,34,35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anthias et al (US. Patent 5,5, 911,199) in view Travis et al (US. 5,422,999) in view of Kent Watsen (Suporting Dynamic Protocols for Virtual Environments) and further in view of John Shapley Gray (Interprocess communication in Unix) .

**As to claim 8, 9,10, 11, 12**, Anthias does not teach a socket, a port number of socket, Internet protocol address, address. However, John teaches socket, a port number (section 10.4.2), address (section, 10.2.1), ICMP (section 10.2.3).

Art Unit: 2126

It would have been obvious to apply the teaching of APA in order make the communication between process and destination more available to use in any systems.

**As to the software product of claim 31**, see the rejection of claim 8.

**As to the software product of claim 32**, see the rejection of claim 9.

**As to the software product of claim 33**, see the rejection of claim 10.

**As to the software product of claim 34**, see the rejection of claim 11.

**As to the software product of claim 35**, see the rejection of claim 12.

#### **Response to the argument**

6. Applicant's arguments filed 6/30/03 have been considered but are moot in view of the new ground(s) of rejection. Applicant amended the claims to recite, " an environment variable ...at runtime", " a tag in an outbound message vector", thus, requiring new grounds of rejection. Travis and Watsen 's references meet amended claims.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

8. **Conclusion**

Art Unit: 2126

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (703) 305 5312. The examiner can normally be reached on 8 - 5.

Fax phone: AFTER\_FINAL faxes must be signed and sent to: (703) 746-2738, OFFICAL faxes must be signed and send to: (703) 746-7239, NON OFFICIAL faxes should not be signed, please send to: (703) 746-7240

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305 9000.

LeChi Truong  
August 29, 2003



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